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# HOUSE BILL No. 1438

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-18-2; IC 16-20-2.5; IC 16-37-1-9.

**Synopsis:** Continuing education fund for health departments. Requires a local health department to increase fees for birth and death certificates by \$1 to be deposited in a continuing education fund for local health department personnel. Creates the continuing education fund for local health department personnel. Appropriates money in the fund to the Indiana Public Health Foundation, Inc., to administer a continuing education program. Requires the Indiana Public Health Foundation, Inc., to create a continuing education committee.

**Effective:** July 1, 2005.

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January 18, 2005, read first time and referred to Committee on Public Health.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1438

A BILL FOR AN ACT to amend the Indiana Code concerning health and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 16-18-2-62.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2005]: **Sec. 62.5. "Committee", for purposes**  
4 **of IC 16-20-2.5, has the meaning set forth in IC 16-20-2.5-1.**  
5 SECTION 2. IC 16-18-2-139.5 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2005]: **Sec. 139.5. "Foundation", for**  
8 **purposes of IC 16-20-2.5, has the meaning set forth in**  
9 **IC 16-20-2.5-2.**  
10 SECTION 3. IC 16-18-2-143 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 143. **(a) "Fund", for**  
12 **purposes of IC 16-20-2.5, has the meaning set forth in**  
13 **IC 16-20-2.5-3.**  
14 ~~(a)~~ **(b)** "Fund", for purposes of IC 16-26-2, has the meaning set forth  
15 in IC 16-26-2-2.  
16 ~~(b)~~ **(c)** "Fund", for purposes of IC 16-31-8.5, has the meaning set  
17 forth in IC 16-31-8.5-2.



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(c) (d) "Fund", for purposes of IC 16-46-5, has the meaning set forth in IC 16-46-5-3.

(d) (e) "Fund", for purposes of IC 16-46-12, has the meaning set forth in IC 16-46-12-1.

SECTION 4. IC 16-18-2-294.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 294.5. (a) **"Program", for purposes of IC 16-20-2.5, has the meaning set forth in IC 16-20-2.5-4.**

(b) "Program", for purposes of IC 16-47-1, has the meaning set forth in IC 16-47-1-3.

SECTION 5. IC 16-20-2.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]:

**Chapter 2.5. Continuing Education for Local Health Department Personnel**

**Sec. 1.** As used in this chapter, "committee" refers to the continuing education committee established by section 8 of this chapter.

**Sec. 2.** As used in this chapter, "foundation" means the Indiana Public Health Foundation, Inc.

**Sec. 3.** As used in this chapter, "fund" means the continuing education fund for local health department personnel established by section 5 of this chapter.

**Sec. 4.** As used in this chapter, "program" means the continuing education program for local health department personnel established under this chapter.

**Sec. 5.** The continuing education fund for local health department personnel is established to receive money collected under IC 16-37-1-9(c). The treasurer of state shall administer the fund. The treasurer of state shall transfer money in the fund to the foundation not later than thirty (30) days after receipt of money from the county auditors.

**Sec. 6.** Money in the fund is continually appropriated to the foundation to administer and pay for continuing education programs for local health department personnel under this chapter.

**Sec. 7.** Upon receipt of the funds transmitted by the treasurer of state to the foundation, the foundation shall administer the funds by creating a fund or an account that is separate from other funds or accounts administered by the foundation. The money shall be used to provide for payment of the program. The foundation shall invest money in the fund or account in the same manner as public

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money may be invested. Interest that accrues from investments shall be deposited in the fund or account.

Sec. 8. For purposes of administering the program, the foundation shall establish a sixteen (16) member continuing education committee. A member shall be selected for a term of four (4) years. A member may serve an unlimited number of terms. In the event of a vacancy, the vacancy shall be filled using the same procedure used for the initial selection. The foundation shall establish procedures for making selections of members for the committee. The members shall be selected as follows:

(1) Twelve (12) members shall be selected with two (2) from each of the following six (6) regions of the state as described by the foundation:

- (A) Northwest.
- (B) Northeast.
- (C) East central.
- (D) West central.
- (E) Southeast.
- (F) Southwest.

The members shall be nominated by the health officers serving in the designated regions. The nominations shall be forwarded to the Indiana Association of Public Health Physicians, Inc., which shall select members from the nominations received from the regions.

(2) One (1) member of the foundation shall be nominated by the president of the foundation.

(3) Two (2) members shall be nominated using a method established by the foundation who represent professional staff, support staff, or local health board members.

(4) One (1) member shall be nominated by the Indiana University School of Medicine.

Sec. 9. (a) The committee shall meet to organize immediately following the appointment of the initial members. The members shall elect a chairperson and a secretary from among the membership.

(b) After the initial meeting, the committee shall meet at the direction of the chairperson. The committee shall:

- (1) establish procedures for operating the committee;
- (2) establish guidelines for approving programs;
- (3) establish guidelines for local health officials to receive reimbursement for continuing education; and
- (4) prepare an annual budget that shall be submitted to the

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foundation for approval.

Sec. 10. (a) A local health department that wants to seek reimbursement for programs must provide the committee with an estimate of the amount of money the local health department will need for the program.

(b) The committee shall establish guidelines for distributing funds to local health departments based on the estimates submitted under subsection (a).

(c) The foundation shall distribute funds based upon requests for attendance at programs approved by the committee under this chapter.

Sec. 11. Local health departments participating under this chapter shall submit quarterly financial reports concerning continuing education to the foundation.

Sec. 12. The foundation shall annually provide to the general assembly:

(1) a copy of the foundation's annual audit of funds received under this chapter; and

(2) an annual report based on the quarterly reports required under section 11 of this chapter.

The reports described in this section must be in an electronic format under IC 5-14-6.

Sec. 13. A program approved under this chapter may be provided by:

(1) the foundation;

(2) an accredited resource approved by the committee; or

(3) other sources that local health department personnel may choose and that are approved by the committee.

Sec. 14. Continuing education funds must be provided to local health departments when sufficient fees have been collected to provide funds to each participating local health department.

SECTION 6. IC 16-37-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) A local health department may make a charge under IC 16-20-1-27 for each certificate of birth, death, or stillbirth registration.

(b) If the local department of health makes a charge for a certificate of death under subsection (a), a one dollar (\$1) coroners continuing education fee must be added to the rate established under IC 16-20-1-27. The local department of health shall deposit any coroners continuing education fees with the county auditor within thirty (30) days after collection. The county auditor shall transfer semiannually any coroners continuing education fees to the treasurer

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of state.

(c) If a local health department makes a charge for a certificate of birth, death, or stillbirth under subsection (a), a one dollar (\$1) continuing education fee for local health departments must be added to the fees established under IC 16-20-1-27. The local department of health shall deposit any fees collected under this subsection with the county auditor not later than thirty (30) days after the collection. The county auditor shall semiannually transfer local health department fees to the treasurer of state to be deposited in the continuing education fund for local health department personnel established by IC 16-20-2.5-5.

~~(c)~~ (d) Notwithstanding IC 16-20-1-27, a charge may not be made for furnishing a certificate of birth, death, or stillbirth registration to a person or to a member of the family of a person who needs the certificate for one (1) of the following purposes:

(1) To establish the person's age or the dependency of a member of the person's family in connection with:

(A) the person's service in the armed forces of the United States; or

(B) a death pension or disability pension of a person who is serving or has served in the armed forces of the United States.

(2) To establish or to verify the age of a child in school who desires to secure a work permit.

SECTION 7. [EFFECTIVE JULY 1, 2005] (a) The initial terms of office for the sixteen (16) individuals appointed to the continuing education committee under IC 16-20-2.5-8, as added by this act, are as follows:

(1) One (1) member from each region selected under IC 16-20-2.5-8(1) for a term of two (2) years.

(2) One (1) member from each region selected under IC 16-20-2.5-8(1) for a term of four (4) years.

(3) One (1) member selected under IC 16-20-2.5-8(2) for a term of four (4) years.

(4) One (1) member selected under IC 16-20-2.5-8(3) for a term of two (2) years.

(5) One (1) member selected under IC 16-20-2.5-8(3) for a term of four (4) years.

(6) One (1) member selected under IC 16-20-2.5-8(4) for a term of four (4) years.

(b) This SECTION expires June 30, 2009.

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